

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

LONDON-SIRE RECORDS, INC., <i>et al.</i> ,	§	
	§	
Plaintiffs,	§	
	§	
VS.	§	CIVIL ACTION NO. 05-1529
	§	
KARLETTE NIETO,	§	
	§	
Defendant.	§	

DEFAULT JUDGMENT AND PERMANENT INJUNCTION

Plaintiffs have moved for default judgment. The record reveals that Karlette Nieto has failed to answer or appear under Rule 12, F.R.C.P., making entry of default proper. Plaintiffs have also filed an affidavit and exhibits in support of their claims and sent notice to defendant. Further notice is not required. The motion for entry of default is granted.

Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under Copyright Act (17 U.S.C. § 504(c)(1)), for each of the seven sound recordings listed in Exhibit A to the complaint. Defendant Nieto must pay damages to plaintiffs for infringement of plaintiffs' copyrights in the sound recordings listed in Exhibit A to the complaint, in the total sum of \$5,250.00.

Defendant Nieto must also pay plaintiffs' costs of suit, in the amount of \$365.00.

Defendant Nieto is enjoined from directly or indirectly infringing plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Oh l' Amour," on album "Wonderland," by artist "Erasure" (SR# 69-758);

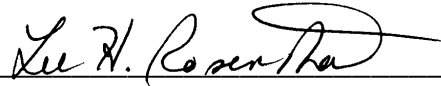
- “Jungle Love,” on album “Ice Cream Castle,” by artist “The Time” (SR# 55-021).
- “Honey I’m Home,” on album “Come On Over,” by artist “Shania Twain” (SR# 243-502);
- “Come and Talk to Me,” on album “Forever My Lady,” by artist “Jodeci” (SR# 129-912);
- “Be With You,” on album “Enrique,” by artist “Enrique Iglesias” (SR# 214-257);
- “That’s The Way Love Goes,” on album “Janet,” by artist “Janet Jackson” (SR# 174-392);
- “She Swallowed It,” on album “Efil4aggin’,” by artist “NWA” (SR# 137-627);

and in any other sound recordings, whether now in existence or later created, that is owned by controlled by the plaintiffs (or any parent, subsidiary, or affiliate record label of plaintiffs) (“Plaintiffs’ Recordings”), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs’ Recordings, to distribute (i.e., upload) any of Plaintiffs’ Recordings, or to make any of Plaintiffs’ Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of plaintiffs.

Defendant Nieto also must destroy all copies of Plaintiffs’ Recordings that she has downloaded onto any computer hard drive or server without plaintiffs’ authorization and

destroy all copies of those downloaded recordings transferred onto any physical medium or device in defendant's possession, custody, or control.

SIGNED on October 24, 2005, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal", is positioned above a horizontal line. The signature is fluid and cursive, with a large, sweeping loop at the end.

Lee H. Rosenthal
United States District Judge